

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CV495
)	
v.)	
)	
\$35,000.00 IN UNITED)	DEFAULT JUDGMENT AND
STATES CURRENCY,)	DECREE OF FORFEITURE
2001 TOYOTA AVALON)	
VIN 4T1BF28B31U128683,)	
)	
Defendants.)	
_____)	

This matter is before the Court upon plaintiff's Motion for Default Judgment and Decree of Forfeiture (Filing No. 13) against the defendants and any unknown claimants. Plaintiff is presently represented by Nancy A. Svoboda, Assistant United States Attorney. Defendants are not present, either personally or through counsel. No claimants are present, either personally or through counsel. Upon review of the record of this case, the Court finds as follows:

1. A Complaint for Forfeiture was filed herein on July 20, 2006. A Warrant for Arrest in Rem was issued by this Court and was properly executed on the defendant properties by the United States Marshal.

2. Publication of the notice of this action and of the arrest of the defendant properties was duly made pursuant to Order of this Court dated July 26, 2006.

3. On August 9, 2006, John LaCome, Sr. was personally served notice of the Verified Complaint, Notice of Seizure and Procedure and Warrant In Rem by the United States Marshal's Service . On August 16, 2006, Fredrick Remer, attorney for John LaCome, Jr., was

served by certified mail notice of the Verified Complaint, Notice of Seizure and Procedure and Warrant In Rem by the United State Marshal's Service .

4. No person or entity entitled to the defendant properties has filed a Claim or an Answer to plaintiff's Complaint within the time fixed by law.

5. Plaintiff's Request to Enter Default was granted by this Court on October 23, 2006.

6. Plaintiff's Motion for Default Judgment and Decree of Forfeiture should be sustained. Accordingly,

IT IS ORDERED:

A. The Motion for Default Judgment and Decree of Forfeiture filed by plaintiff is hereby sustained.

B. All right, title or interest in or to the defendant properties held by any person or entity is hereby forever barred and foreclosed.

C. The defendant properties be and the same hereby are forfeited to the United States of America.

D. The defendant properties shall be disposed of by the United States Marshal for the District of Nebraska in accordance with law.

DATED this 23rd day of October, 2006.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court